

**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
COUNCIL BILL 117479

AN ORDINANCE vacating the alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, on the petition of Seattle University as reflected in Clerk File 305367.

WHEREAS, Seattle University ("Petitioner") filed a petition to vacate the alley in Block 8, Squire Park Addition to the City of Seattle, which is the block bordered on the north by East Cherry Street, on the south by East James Court, on the east by 13<sup>th</sup> Avenue, and on the west by 12<sup>th</sup> Avenue, in the Capital Hill neighborhood of Seattle; and

WHEREAS, following a September 5, 2003 public hearing on the petition, the Seattle City Council ("City Council") conditionally granted the petition subject to conditions that have now been met; and

WHEREAS, pursuant to Section 35.79.030 RCW and Seattle Municipal Code Chapter 15.62, the Petitioner has paid the City a vacation fee of \$300,000 which amount is the full appraised value of the property; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The real property described below is vacated:

The Alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, as recorded in Volume 10 of Plats, page 18, Records of King County, Washington, being the alley in the block bounded by 12<sup>th</sup> Avenue, East Cherry Street, 13<sup>th</sup> Avenue, and East James Court.

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any right-of-way abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain, and operate any existing overhead or underground utilities in said rights-of-way until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

1 Section 2. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
5 signed by me in open session in authentication of its passage this  
6 \_\_\_\_ day of \_\_\_\_\_, 2012.

7  
8 \_\_\_\_\_  
9 President \_\_\_\_\_ of the City Council

10  
11 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

12  
13 \_\_\_\_\_  
14 Michael McGinn, Mayor

15  
16 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

17  
18 \_\_\_\_\_  
19 Monica Martinez Simmons, City Clerk

20 (Seal)

### **FISCAL NOTE FOR NON-CAPITAL PROJECTS**

| <b>Department:</b>                   | <b>Contact Person/Phone:</b> | <b>CBO Analyst/Phone:</b> |
|--------------------------------------|------------------------------|---------------------------|
| Seattle Department of Transportation | Beverly Barnett/684-7564     | Rebecca Guerra/684-5339   |

**Legislation Title:**

AN ORDINANCE vacating the alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, on the petition of Seattle University as reflected in Clerk File 305367.

**Summary of the Legislation:**

This Council Bill completes the vacation process for the alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, on the petition of Seattle University, a Washington non-profit corporation (the "Petitioner").

**Background:**

The Petitioner sought vacation of the alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, bordered by East Cherry Street, 13<sup>th</sup> Avenue, East James Court, and 12<sup>th</sup> Avenue in the Capital Hill neighborhood of Seattle to facilitate a mixed-use project that would include housing for graduate students, retail space, and underground parking.

On October 6, 2003, the City Council voted to conditionally grant the Petitioner's petition to vacate the alley for its mixed-use project. The Petitioner subsequently constructed a four-story, C-shaped building, which mitigates to a five-story building above grade at the southeast corner of the building due to changes in elevation at the street level, and a private courtyard in the middle of the site, with 81 student apartments and three primary commercial fronts consisting of 8,901 square feet of commercial space above a below grade parking garage consisting of 49 stalls. Street level residential units along East James Court and 13<sup>th</sup> Avenue were developed with street facing doors, porches and landscaping.

To meet its public benefit requirement, the Petitioner has given \$150,000 to the City of Seattle, Seattle Parks and Recreation department ("Parks"). Parks is utilizing the funds for acquisition and improvements to open space located in the 12<sup>th</sup> Avenue Urban Center Village and to create a park near the development site. The site at 12<sup>th</sup> Avenue and East James Court has been identified as the new park location.

Please check one of the following:

**X** **This legislation does not have any financial implications.**

**Other Implications:**

**a) Does the legislation have indirect financial implications, or long-term implications?**

This legislation does not accept or appropriate funds. The Seattle Department of Transportation received a vacation fee of \$300,000 in March of 2012, at which time 50 percent was deposited in the CRS Unrestricted Subaccount and 50 percent in the CRS Street Vacation Subaccount

**b) What is the financial cost of not implementing the legislation?**

This vacation petition has already been approved by the Seattle City Council which obligates the City to complete the vacation process, provided that the Petitioner meets all the conditions imposed by the Council and the vacation fee is paid. The Petitioner has met all the conditions and paid the vacation fee. Therefore, by not implementing this legislation, the City would be in violation of its obligations, which could have financial implications.

**c) Does this legislation affect any departments besides the originating department?**

No. As part of the initial vacation review process, all interested departments are notified of the vacation petition and asked to comment. All issues must be resolved prior to the approval of the final legislation.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None. This legislation completes the vacation process.

**e) Is a public hearing required for this legislation?**

No.

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**g) Does this legislation affect a piece of property?**

Yes. It completes the vacation of right-of-way.

**h) Other Issues:**

**List attachments to the fiscal note below:**

Attachment A: Alley Vacation Map.

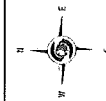
Alley Vacation:  
Block A

Petitioner:  
Seattle University

CF 305367

Sq Ft:  
2,525

Vacation  
Area



©2009  
THE CITY OF SEATTLE  
All rights reserved.  
Produced by the Seattle  
Department of Transportation  
No warranties of any sort,  
including accuracy, fitness or  
merchantability, accompany  
this product.

Coordinate System:  
State Plane, NAD83-91,  
Washington, North Zone  
Projection Source:  
Picometry 2007

PLOT DATE: 12/14/11  
AUTHOR: St. Vacation



**Vacation of Block A, W.C. Squires Replat of Block 8, Squire Park Addition**



**City of Seattle**  
Office of the Mayor

May 22, 2012

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that would complete the vacation process for Seattle University, a Washington non-profit corporation (Petitioner). The Petitioner sought to vacate the alley in Block A, W.C. Squires Replat of Block 8, Squire Park Addition to the City of Seattle, in the Capital Hill neighborhood of Seattle, to develop a mixed-use project.

On October 6, 2003, the City Council voted to conditionally grant the petition to vacate the alley for the mixed-use project. The Petitioner subsequently constructed a C-shaped building with a private courtyard in the middle of the site, with 81 student apartments and three primary commercial fronts consisting of 8,901 square feet of commercial space above a below grade parking garage. The building is four-stories, but transitions to a five-story building above grade at the southeast corner due to changes in elevation. Street level residential units along East James Court and 13th Avenue were developed with street facing doors, porches and landscaping.

To meet its public benefit requirement, the Petitioner has given \$150,000 to the City of Seattle, Seattle Parks and Recreation department ("Parks"). Parks is utilizing the funds for acquisition and improvements to open space located in the 12th Avenue Urban Center Village and to create a park near the development site. The site at 12th Avenue and East James Court has been identified as the new park location.

The proposed legislation supports Seattle University's development project to expand and update the campus to create graduate student housing that is cost-competitive with market rate housing, improve the pedestrian experience, and energize 12<sup>th</sup> Avenue as a retail street. Thank you for your support of this legislation. If you have any questions please contact Beverly Barnett at (206) 684-7564.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcgin@seattle.gov